

U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 12, 2018

VIA ECF

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

RE: United States v. DiMarco and Von Ditmar,
18 Cr. 863 (LAK)

Dear Judge Kaplan:

MEMO ENDORSED

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/14/2018

The Government writes to request that the Court set a pre-trial conference date in the above-captioned matter for January 7, 2019. The Government understands that the requested pre-trial conference date is the first available date on the Court's calendar for the requested appearance. At the requested appearance, the Government anticipates that each defendant will be arraigned on Indictment No. 18 Cr. 863 (the "Indictment"), which was returned by a Grand Jury sitting in this district on December 4, 2018. Mr. DiMarco was presented on the Indictment on or about December 6, 2018, at which time the Magistrate Court excluded time under the Speedy Trial Act through December 17, 2018.


In light of the foregoing, and in the interest of justice, the Government moves on the consent of both defendants for the exclusion of time under Title 18, United States Code, Section 3161, to run from December 17, 2018 through January 7, 2019.

Respectfully submitted,

Granted. Time is excluded through
January 7, 2019. SO ORDERED.

GEOFFREY S. BERMAN
United States Attorney

Date: December 13, 2018


United States District Judge
Loretta A. Preska

by: _____/s/
Noah Falk
Assistant United States Attorney
(212) 637-1085

cc: All parties (via ECF)